

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 840 OF 2004

IN

Summary SUIT NO. 3138 OF 2000

Laxmichand Ratanshi Rambhia Plaintiff

VS.

Laxmichand Lalji Poladia Defendant

D. H. Mehta with P.N. Vira for Plaintiff

Niranjan Lapasiya i/b. Niaranjan & Co., for defendant

CORAM: S. U. KAMDAR J.

Date: 28/9/2005

P.C.

The present suit is filed on a purported acknowledgment. Exhibit "B". It is not disputed that the said document has been obtained in the course of police investigation when the defendant was called in the police station. The said document has been signed before the police. The police report is at exhibit B2. In that view of the matter triable issue arises. Conditional leave to defend.

Summons for Judgment dismissed.

Suit transferred to the list of Commercial causes. Written statement or points of defence to be filed four weeks from the date of deposit. Affidavits, list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on board of the learned Judge taking Commercial Causes.

(S. U. KAMDAR J.)